

Message Text

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ACTION SS-25

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EXDIS

FOR ASSISTANT SECRETARY ATHERTON

E.O. 11652: GDS
TAGS: PFOR, IS, US
SUBJ: PROPOSED RESTRICTIONS ON CONSULATE GENERAL
ACTIVITIES

REF: TEL AVIV 1809

1. ISRAELI FOREIGN OFFICE HAS DURING PAST YEARS OCCASIONALLY
WARNED ONE OR ANOTHER CONSULATE GENERAL ABOUT ITS ACTIVITIES
ON WEST BANK. TO BEST OF OUR KNOWLEDGE, HOWEVER, THERE HAS
NEVER BEEN SWEEPING RESTRICTION OF SORT NOW BEING PROPOSED BY
ISRAELIS. (SEPTTEL PROVIDES DETAILS ON PAST PRACTICES SO FAR AS
OUR FILES REFLECT IT.)

2. MOST CLEAR-CUT ASPECT OF RESTRICTION WILL BE PROHIBITION
ON CONGEN CONTACT WITH WEST BANK OFFICIALS. PRESUMABLY THIS
WOULD REQUIRE PROHIBITION AGAINST OFFICIALS HAVING CONTACT WITH
US, AS SINCE MUNICIPALITY MAYORS AND OTHERS CALL ON US, WRITE TO
US, TELEPHONE US, ETC. MAYOR FREIJ OF BETHLEHEM IS FAIRLY
FREQUENT VISITOR, FOR EXAMPLE. AT TIMES CONDUCT
OF STATUTORY CONSULAR RESPONSIBILITIES REQUIRES CONTACT WITH
OFFICIALS AND ANY PRETENSE OF TRADE SERVICE WOULD HAVE TO BE
ABANDONED IF WE COULD NOT BE IN TOUCH WITH CHAMBERS OF
COMMERCE. RESTRICTION IS PARTICULARLY ANOMALOUS SINCE IT IS

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CLEAR FROM OUR FILES THAT EVEN IN TURBULENT DAYS AFTER 1967 WAS

CONGEN OFFICERS CALLED ON MAYORS AND OTHER OFFICIALS.

3. MOST SWEEPING ASPECT OF RESTRICTIONS IS REQUIREMENT THAT CONGENS STICK TO CONDUCT OF "CONSULAR AFFAIRS." IF THIS WERE TAKEN LITERALLY, AND MEAN (AS IT IS PRESUMABLY INTENDED TO MEAN) NO POLITICAL DISCUSSIONS WITH WEST BANK RESIDENTS, COMPLIANCE WOULD MEAN BREAKING OFF ALL CONTACT WITH THESE PEOPLE. POLITICS IS UNDERSTANDABLY AN OBSESSION WITH THEM, AND WHILE WE REFRAIN TO THE EXTENT POSSIBLE FROM OFFERING OUR OWN VIEWS IT IS IMPOSSIBLE TO AVOID TALKING ABOUT THESE ISSUES.

4. ISRAELI USE OF TERM "CURRENT PERIOD" RAISES QUESTION WHAT IS SO PARTICULARLY DELICATE ABOUT THIS PERIOD IN TERMS OF CONTACT WITH WEST BANK (AS AGAINST FOR EXAMPLE PERIOD DURING AND AFTER 1973 WAR) AND WHEN WILL SITUATION BE LESS DELICATE IN THIS RESPECT. ASSUMPTION HAS TO BE THAT RESTRICTIONS WOULD CONTINUE INDEFINITELY.

5. EFFECT OF RESTRICTIONS WOULD BE CONSIDERABLE. OTHER GOVERNMENTS INVOLVED WOULD ALMOST CERTAINLY FIGHT IT AND PRESS AND WEST BANK POPULATION WOULD QUICKLY BECOME AWARE OF THIS STRUGGLE AND OF NEW RESTRICTIONS IF ISRAELIS SHOULD PERSIST. (MY FRENCH COLLEAGUE, DEAN OF CONSULAR CORPS, IS ALREADY UPSET ABOUT MARCH 26 MA'ARIV STORY CONCERNING NASTOFF'S ACTIVITIES WHICH ENDS WITH A REFERENCE TO MFA'S DISCUSSIONS WITH EMBASSY TEL AVIV IN THE COURSE OF WHICH, ARTICLE STATES, EMBASSY WAS REQUESTED TO INSTRUCT CONGEN THAT CONTACTS WITH WEST BANK OFFICIALS WOULD BE MADE "IN CONFORMITY WITH THE ISRAELI MILITARY ADMINISTRATION".) WEST BANKERS WOULD READ THIS SHARP CHANGE IN PRACTICE OF ALMOST EIGHT YEARS AS REFLECTING IMPORTANT POLICY DEPARTURE BY ISRAELIS. THEY WOULD READ IT IN FIRST INSTANCE AS ISRAELI REACTION TO BREAKDOWN OF NEGOTIATIONS WITH EGYPT AND AS HERALDING ACCELERATED ISRAELI EFFORTS TO ISOLATE AND ABSORB WEST BANK.

6. UNLESS THIS IS JUST WHAT ISRAELIS INTEND, ALLEGED PROBLEM THEY ARE ATTEMPTING TO COPE WITH SEEMS NOT NEARLY SO SERIOUS AS PROBLEM THEY WOULD CREATE. WE DO NOT KNOW EXACTLY WHAT EVRON HAD IN MIND WHEN HE SAID "PROPENSITY OF WEST BANKERS TO HEAR WHAT THEY FIND PLEASING IS MAJOR PROBLEM". IT SEEMS FAR-FETCHED THAT THIS CHARACTERISTIC OF WEST BANKERS HAS ANY-
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THING TO DO WITH REALLY SERIOUS PROBLEMS ISRAELIS HAVE SUCH AS TERRORISM AND OCCASIONAL PUBLIC DEMONSTRATIONS. MOST REASONABLE EXPLANATION IS THAT ISRAELIS PERSIST IN BELIEF THAT THEY CAN BREAK WEST BANK SPIRIT IF ONLY POPULATION IS GIVEN NO GROUNDS TO HOPE, AND THIS IS CLEARLY SPECIOUS EXPECTATION. WEST BANKERS ARE CERTAINLY UNDER NO ILLUSION, IN PARTICULAR, THAT CONSULATES GENERAL ARE OFFERING THEM ANYTHING MORE THAN A SHOULDER TO CRY ON.

7. THERE IS OF COURSE ANOTHER ELEMENT IN ISRAELI MOVE, NAMELY SUBSTITUTION OF EMBASSY FOR CONGEN ON WEST BANK AND FURTHER UNDERMINING OF CONGEN ROLE. EXTENT TO WHICH THIS POLICY ALREADY AT WORK IS INDICATED BY FACT THAT WHOLE PROBLEM OF GONGEN ACTIVITY ON WEST BANK WAS WORKED OUT BY FOREIGN OFFICE WITH CONSUL GENERAL DIRECTLY IN 1967.

8. TACTICS OF RESPONSE TO ISRAELIS BEST DETERMINED BY EMBASSY AND DEPARTMENT BUT I SUGGEST ANY RESPONSE WE MAKE INCLUDE FOLLOWING POINT. AS GOVERNMENT DEEPLY COMMITTED AND INVOLVED IN MIDDLE EAST ISSUE WE HAVE IMPORTANT NEED TO UNDERSTAND ALL SIGNIFICAN ASPECTS OF IT. ONE SUCH ASPECT IS CLEARLY SITUATION IN OCCUPIED TERRITORIES. CONGEN JERUSALEM, IN WHOSE CONSULAR DISTRICT WEST BANK LIES, HAS TRADITIONALLY BEEN OUR MEANS OF INFORMING OURSELVES AND AS WE PROCEED THROUGH PERIOD OF NEGOTIATION IT IS ALL THE MORE IMPORTANT THAT THIS FACILITY BE MAINTAINED AND UTILIZED. WE COULD ALLUDE AT THIS POINT TO JULY 14, 1971 MFA STATEMENT IN KNESSET (DESCRIBED REFTEL) TO EFFECT THAT FUNCTIONS OF FOREIGN REPRESENTATIVES ARE DEFINED BY THEIR OWN GOVERNMENTS.
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